



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Docket No. 439300)

In re the Application of:	)	<b>Customer No. 27717</b>
	)	
David S. Utterberg	)	
	)	Art Unit: 3763
Serial No.: 10/062,570	)	
	)	
Filed: February 5, 2002	)	Examiner Mendez
	)	
For: Blood Set Priming Method and	)	
Apparatus	)	
	)	

TO: MAIL STOP: Amendment  
Commissioner for Patent  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**TERMINAL DISCLAIMER**

Dear Sir:

The owner, DSU Medical Corporation, of a one hundred percent interest in the instant application cited above, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior Patent No. 6,290,665, as defined in 35 U.S.C. § 154-156 and 173, as presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application, and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, DSU Medical Corporation does not disclaim the terminal part of any term of any patent granted on the instant application that would

extend to the full statutory term of prior Patent No. 6,290,665 as defined in 35 U.S.C. §§154-156 and 173, as presently shortened by any terminal disclaimer, in the event that prior Patent No. 6,290,665 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

The terminal disclaimer fee of \$130.00 for a large entity is enclosed by check.

Please charge Deposit Account No. 19-1351 for any added fees that may be required.

Respectfully submitted,  
SEYFARTH SHAW LLP



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 19, 2005.



Registered Attorney for Applicant

Date: July 19, 2005